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1 restitution, reparation, and restoration to the victim of the offense; and (d) encourage and provide
2 opportunities for the offender's self-improvement, rehabilitation, and reintegration back into the
3 community.

4 In consideration of the nature of his offense, testimony presented to the court, his prior
5 criminal history, his ability to maintain employment and make payments toward his court-
6 ordered financial obligations, the recommendations of the parties and the Pre-Sentence
7 Investigation prepared by Rae Baker of the Adult Probation and Parole office,

8 **IT WAS THE JUDGMENT OF THIS COURT** that imposition of sentence upon the
9 Defendant is deferred for a term of five (5) years.

10 That period of deferral is, however, subject to the following conditions:

- 11 1. The Defendant shall be placed under the supervision of the Department of Corrections,
12 subject to all rules and regulations of the Adult Probation & Parole Bureau.
- 13 2. The Defendant must obtain prior written approval from his/her supervising officer
14 before taking up residence in any location. The Defendant shall not change his/her place
15 of residence without first obtaining written permission from his/her supervising officer
16 or the officer's designee. The Defendant must make the residence open and available to
17 an officer for a home visit or for a search upon reasonable suspicion. The Defendant will
18 not own dangerous or vicious animals and will not use any device that would hinder an
19 officer from visiting or searching the residence.
- 20 3. The Defendant must obtain permission from his/her supervising officer or the officer's
21 designee before leaving his/her assigned district. If the Defendant has not completed
22 repayment of the restitution ordered in condition 15 and the travel would entail expenses
23 greater than \$1,000.00.
- 24 4. The Defendant must seek and maintain employment, including self-employment, or
25 maintain a program approved by the Board of Pardons and Parole or the supervising
officer. For these purposes, Defendant's self-employment meets this requirement if the
Defendant can show to the satisfaction of his supervising officer or his/her designee that
the self-employment is capable of generating monthly income. Unless otherwise
directed by his/her supervising officer, the Defendant must inform his/her employer and
any other person or entity, as determined by the supervising officer, of his/her status on
probation, parole, or other community supervision.
5. Unless otherwise directed, the Defendant must submit written monthly reports to his/her
supervising officer on forms provided by the probation and parole bureau. The

1 Defendant must personally contact his/her supervising officer or designee when directed
2 by the officer.

3 6. The Defendant is prohibited from using, owning, possessing, transferring, or controlling
4 any firearm, ammunition (including black powder), weapon, or chemical agent such as
5 oleoresin capsicum or pepper spray.

6 7. The Defendant must obtain permission from his/her supervising officer before engaging
7 in a business, purchasing real property, purchasing an automobile, or incurring a debt.

8 8. Upon reasonable suspicion that the Defendant has violated the conditions of supervision,
9 a probation and parole officer may search the person, vehicle, residence of the
10 Defendant, and the Defendant must submit to such search. A probation and parole
11 officer may authorize a law enforcement agency to conduct a search, provided the
12 probation and parole officer determines reasonable suspicion exists that the Defendant
13 has violated the conditions of supervision.

14 9. The Defendant must comply with all municipal, county, state, and federal laws and
15 ordinances and shall conduct himself/herself as a good citizen. The Defendant is
16 required, within 72 hours, to report any arrest or contact with law enforcement to his/her
17 supervising officer or designee. The Defendant must be cooperative and truthful in all
18 communications and dealings with any probation and parole officer and with any law
19 enforcement agency.

20 10. The Defendant is prohibited from gambling.

21 11. The Defendant shall pay all fines, fees, and restitution ordered by the sentencing court.

22 12. The Defendant shall pay the following fees and/or charges which are statutorily
23 mandated. **Payment is to be made to the Eleventh Judicial District, Flathead
24 County, Montana, Clerk of Court, 920 South Main, Suite 300, Kalispell, MT 59901.**

25 a. Defendant shall pay a surcharge of \$15 for each misdemeanor. [§46-18-236(1)(a),
MCA] **Defendant to pay: \$0**

b. Defendant shall pay a surcharge of the greater of \$20 or 10% of the fine for each
felony offense. [§46-18-236(1)(b), MCA] **Defendant to pay: \$500**

c. Surcharge for victim and witness advocate programs of \$50 for each misdemeanor or
felony charge under Title 45, Crimes; §61-8-401 (DUI); §61-8-406 (DUI-alcohol);
or §61-8-411 (DUI-delta-9-tetrahydrocannabinol). [§46-18-236(1)(c), MCA]
Defendant to pay: \$50

d. Defendant shall pay a \$10.00 per count for court information technology fee. (§3-1-
317, MCA) **Defendant to pay: \$10**

e. Costs of assigned counsel, paid to clerk of court: (§46-8-113, MCA)

i. \$250 for one or more misdemeanor charges and no felony charges or \$800 for
one or more felony charges.

1 ii. offender shall pay costs incurred by the Office of Public Defender for
2 providing counsel in the criminal trial.

3 **Defendant to pay Public Defender Fees of \$0. Attorney was retained.**

4 f. The Defendant shall pay fine(s) over and above any amount credited for pre-
5 conviction incarceration as ordered and directed by the court. (§46-18-231, MCA)

6 **Defendant to pay net fine of \$5,000**

7 g. The Defendant shall pay costs of legal fees and expenses defined in §25-10-201,
8 MCA, plus costs of jury service, prosecution, and pretrial, probation, or community
9 service supervision or \$100 per felony or \$50 per misdemeanor, whichever is
10 greater. (§46-18-232, MCA).

11 **Court orders Defendant to pay: \$100**

12 h. The Defendant shall pay Prosecution Fees associated with bad checks issued as
13 ordered and directed by the court. **Defendant to pay fees of \$0. The offense is not
14 related to bad checks.**

15 13. The Defendant shall pay Court Ordered supervision fees. The Probation & Parole
16 Officer shall determine the amount of supervision fees (§46-23-1031, MCA) to be paid
17 each month in the form of money order or cashier's check to the Department of
18 Corrections Collection Unit, P.O. Box 201350, Helena, MT 59620 (\$50 per month if the
19 Defendant is sentenced under §45-9-202, MCA, dangerous drug felony offense and
20 placed on ISP). The DOC shall take a portion of the Defendant's inmate account if the
21 Defendant is incarcerated.

22 14. There is a \$50 fee at the time a PSI report is completed, unless the court determines the
23 Defendant is not able to pay the fee within a reasonable time (§46-18-111, MCA). The
24 Defendant shall submit this payment to the Department of Corrections Collection Unit,
25 P.O. Box 201350, Helena, MT 59620.

Defendant to pay \$50

 15. The Defendant shall pay court-ordered restitution by money order or cashier's check sent
 to the Department of Corrections, Collection Unit, P.O. Box 201350, Helena, MT 59620.
 The Defendant shall be assessed a 10% administration fee on all restitution ordered. All
 of the methods for collection of restitution provided under §46-18-241 through §46-18-
 249, MCA, shall apply, including garnishment of wages and interception of tax refunds.
 Pursuant to §46-18-244(6)(b), MCA, the Defendant shall sign a statement allowing any
 employer to garnish up to 25% of his/her wages. The Defendant shall continue to make
 monthly restitution payments until he/she has paid full restitution, even after
 incarceration or supervision has ended.

Restitution is owed to:

\$35,000.00

Todd Featherly

205 Peregrine Lane

Whitefish MT 59937

\$20,000.00

1 **Richard Bedrin Estate**
2 **% C. Mark Hash, Attorney At Law**
3 **PO Box 1178**
4 **Kalispell MT 59903-1178**

- 5 16. The restitution amounts are due and owing as of the date of this Judgment. However, if
6 the Defendant is unable to pay the full amount of restitution right away, he shall pay; at
7 least \$5,000.00 within the first year of his sentence; an additional \$9,000.00 within the
8 second year of his sentence; and additional \$13,000.00 within the third year of his
9 sentence; an additional \$17,000.00 within the fourth year of his sentence; and, the
10 remainder within the fifth year of his sentence. In the event that the Defendant pays
11 more in a given year than the amounts listed, and remainder shall be credited towards
12 the total due in the subsequent year.
- 13 17. The Defendant, convicted of a felony offense, shall submit to DNA testing. (§44-6-103,
14 MCA)
- 15 18. The Defendant shall not, whether in his position of employment or otherwise, and
16 whether or not compensated to do so: offer, sell, or negotiate or solicit the sale of any
17 security, investment, or other financial product or service; or offer any recommendation
18 regarding the advisability of the purchase or sale of any security, investment, or other
19 financial product or service.
- 20 19. The Defendant shall not enter any casinos.
- 21 20. The Defendant shall provide yearly credit report.
- 22 21. The Defendant shall not knowingly associate with probationers, parolees, prison
23 inmates, or persons in the custody of any law enforcement agency without prior
24 approval from the Probation & Parole Officer. The Defendant shall not associate with
25 persons as ordered by the court or BOPP.
- 26 22. The Defendant shall not knowingly have any contact, oral, written, electronic or through
27 a third party, with the victims unless such contact is voluntarily initiated by the victims
28 through the Department of Corrections. DOC staff may notify victims about the
29 availability of opportunities for facilitated contact with their offenders without being
30 considered "third parties."
- 31 23. The use of marijuana will be detrimental to the Defendant's rehabilitation and to the
32 safety of the community. The Defendant is, therefore, prohibited from obtaining a
33 medical marijuana registry card without prior authorization from the sentencing court.
- 34 24. The Defendant shall comply with all sanctions given as a result of an intervention, on-
35 site (preliminary), or disciplinary hearing.
- 36 25. The PSI report shall be released by the Department to certain persons, such as treatment
37 providers, mental health providers, and/or medical providers, as needed for the
38 Defendant's rehabilitation.

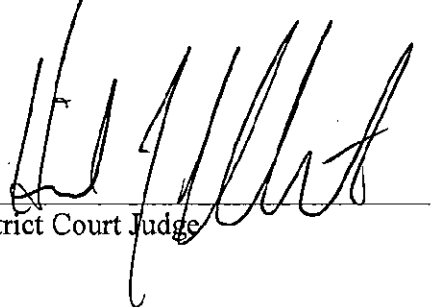
1 The Defendant is to be given credit for -0- days served in custody pending final
2 disposition in this matter.

3 The Defendant is hereby advised that he has 120 days from the date of filing this
4 Judgment and Sentence to contest any perceived differences between this written Judgment and
5 the Court's oral pronouncement of sentence.

6 Any bond posted in this matter is hereby exonerated and is to be released to the
7 Defendant or his posting surety.

8 DONE IN OPEN COURT the 25th day of February, 2016.

9 DATED this 30th day of March, 2016.

10
11 
12 District Court Judge

13 cc: Michael Kakuk, Special Deputy County Attorney
14 Paul Sullivan, Defense Counsel
15 Joe Glickman, Jr., Defendant
16 Flathead County Sheriff's Office
17 Adult Probation and Parole
18 Department of Corrections
19 Department of Justice
20 Montana State Prison

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Emailed 3/31/2016 cp